

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HSBC TRINKHAUS & BURKHARDT AG,
Plaintiff(s),

CASE NO. 07- cv-8208

-against-

AFFIDAVIT OF SERVICE

VIVENDI, S.A., ET AL.,

Defendant(s).

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STATE OF NEW YORK)
 : S.S.
COUNTY OF NEW YORK)

JASON AGEE, being duly sworn, deposes and says that he is an employee of KEATING & WALKER ATTORNEY SERVICE, INC., is over the age of eighteen years and is not a party to the action.


That on the 31st day of October, 2007, at approximately 1:00 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION and CORRECTED COMPLAINT** upon Vivendi, S.A. at 800 Third Avenue, 5th Floor, New York, New York by personally delivering and leaving the same with George E. Bushnell III, Senior Vice-President, Deputy General Counsel, who is authorized by law to accept service.

George E. Bushnell III is a white male, approximately 48 years of age, is approximately 6 feet and 2 inches tall, weighs approximately 270 pounds, with medium length gray/blond hair and blue eyes.

Sworn to before me this
2nd day of November, 2007



JASON AGEE #1196790



MICHAEL J. KEATING
NOTARY PUBLIC, STATE OF NEW YORK
Reg. No. 01-KE-4851559
Qualified in New York County
Commission expires February 3, 2010

UNITED STATES DISTRICT COURT

Southern

District of

New York

HSBC TRINKAUS & BURKHARDT AG

SUMMONS IN A CIVIL ACTION

V.

VIVENDI, S.A., JEAN-MARIE MESSIER
and GUILLAUME HANNEZO

CASE NUMBER: 07-cv-8208

TO: (Name and address of Defendant)

VIVENDI, S.A.
800 Third Avenue
5th Floor
New York, NY 10022

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Stuart M. Grant
James J. Sabella
GRANT & EISENHOFER P.A.
485 Lexington Avenue
29th Floor
New York, NY 10017

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero
(By) DEPUTY CLERK

OCT 29 2007

DATE